

REMARKS

This document relates to issues raised in the Examiner's office action mailed 12/10/2008. In that office action, claims 27, 29, 30, 35-40, 48, 50, and 56-61 were allowed.

Claims 41-43, 45-47, 62-64, 66-68, and 71 have been cancelled from the present application, without prejudice or disclaimer, in response to an Examiner's Restriction Requirement mailed July 24, 2008, in which Applicant elected, without traverse, Group I, claims 27-33, 35-40, 48-61, and 69 to prosecute in the above-identified patent application. Applicant expressly reserves the right to prosecute claims 41-43, 45-47, 62-64, 66-68, and 71 in one or more continuation and/or divisional applications.

On pages 2-3 of the office action, the Examiner rejected claim 69 under 35 U.S.C. § 101 and rejected claims 28, 31-33, 49, and 52-54 under 35 U.S.C. § 112. On page 3 of the office action, the Examiner indicated that claims 28, 31-33, 49, 52-54, and 69 would be allowable if rewritten to overcome the issues regarding 35 U.S.C. § 112 and/or 35 U.S.C. § 101. Claims 27, 28, 31-33, 48, 49, 52-54, and 69 have been amended for clarification purposes in order to more accurately define the scope of the present claimed invention. It is believed that the claims as amended overcome the rejections set forth in the Office Action mailed 12/10/2008.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

WEAVER AUSTIN VILLENEUVE & SAMPSON LLP

/Dean E. Wolf/

Dean E. Wolf
Reg. No. 37,260

P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100